

Medical Evaluation for Employees Issued Respirators

A new OSHA standard on respiratory protection (29 CFR 1910.134) is now in effect. This standard mandates certain provisions, including the requirement for medical evaluation for employees who are issued respirators by their employers. The standard specifically states that it is only providing the minimum requirements.

Although public sector workplaces in Massachusetts are not covered by OSHA standards, it is the policy of the Department of Labor Standards that public sector employers comply with the same requirements.

When is a medical evaluation required?

A medical evaluation is required before an individual is fit tested or required to use a respirator. This is regardless of the type of respirator to be used (e.g., disposable, half face, full face, etc.). Even if respirator use is optional, a medical evaluation is still required. The only exception to this is the voluntary use of dust masks.

Why is a medical evaluation required?

Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used and the health conditions of the employee. Some of the health conditions can include high blood pressure, diseases affecting the lungs and certain heart conditions.

What is the medical evaluation?

The medical evaluation is either:

- a medical questionnaire, or a medical exam that provides the same information as the medical questionnaire.

The medical questionnaire consists of specific questions as defined in the standard. Mandatory questions ask about type of respirator to be used; medical conditions; lung conditions; heart conditions; and medications being taken. Additional questions are required for persons using either a full-facepiece respirator or a self-contained breathing apparatus (SCBA). The health care provider who reviews the questionnaire will determine whether any further questions are warranted or whether a follow-up medical exam is necessary. The medical exam may include tests of lung function (called either spirometry or pulmonary function testing) and/or a chest x-ray.

Under what circumstances are additional medical evaluations required?

The employer shall provide additional medical evaluations that comply with the requirements of 1910.134 if:

- an employee reports medical signs or symptoms related to the ability to use a respirator;
- it is reported to the employer by a health care professional, supervisor, or the respirator program administrator that an employee needs to be reevaluated;
- information from the respiratory protection program indicates a need for employee reevaluation; or
- a change occurs in workplace conditions that may result in a substantial increase in the physiological burden placed on an employee (e.g., an increase in temperature of the workplace, increased workload, or a change in the type of respirator used).



Who performs the medical evaluation?

The medical evaluation is done by a physician or other licensed health care professional (hereafter referred to as health care professional). This refers to an individual whose legally permitted scope of practice allows him or her to independently provide or be delegated the responsibility to provide some or all of the health care services required.



How often should the medical evaluation be done?

The OSHA standard does not specify how frequently the evaluation must be done. However, according to the American Thoracic Society, there are guidelines which have been published by different groups. For younger workers with no significant medical problems, reevaluation every two years may be adequate. For older workers or workers using SCBAs, reevaluation on an annual basis may be more appropriate. The health care professional performing the medical evaluation will determine the frequency.

What rights do employees have?

The questionnaire and/or exams shall be given free of charge to employees. They also shall be administered confidentially during the employee's normal working hours or at a time or place convenient to the employee. The employee must be able to understand the content of the questionnaire and must be given the opportunity to discuss the questionnaire and examination with the health care professional.

What information must the employer report to the health care professional?

The employer must provide the following information to the health care professional before the recommendation is made regarding an employee's ability to use a respirator:

- the type and weight of the respirator to be used by the employee;
- the duration and frequency of use;
- the expected physical work effort;
- additional protective clothing and equipment;
- temperature and humidity extremes that may be encountered;
- the company's written respiratory protection program and a copy of the respiratory protection standard (29 CFR 1910.134).



What responsibilities does the health care professional have?

The health care professional has to provide the employer with a written recommendation regarding the employee's ability to use the respirator. The opinion must not include any confidential medical information and must be limited to the following:

- any limitations on using a respirator;
- the need for any follow-up medical evaluations.

The health care professional must also provide a copy of his/her written recommendations to the employee.

What obligations does the employer have to the employee?

The employer must provide a powered air purifying respirator (PAPR) to the employee if the health care professional determines that the employee cannot medically use a negative pressure respirator (which is non-powered) but is able to use a PAPR. A PAPR is a respirator which has a battery powered blower to move air through filters, thus reducing strain on the respirator user.

How long must records be kept?

Medical evaluation records must be retained for at least the duration of employment plus thirty years. These records also must be made available to the employee or to his or her designated representative. For further details, refer to the Access to Employee Exposure and Medical Records Standard (29 CFR 1910.1020).

References

OSHA, 1/8/1998. 29 CFR 1910.134, Respiratory Protection. Federal Register, 1270.

OSHA, 6/20/1996. 29 CFR 1910.1020, Access to Employee Exposure and Medical Records. Federal Register, 31430.

American Thoracic Society, 1996, Respiratory protection guidelines. American Journal of Respiratory and Critical Care Medicine, Vol. 154, pp. 1153-1165.